In the High Court of Punjab and Haryana, Chandigarh.

C.W.P. No.18568 of 2004

Date of Decision: 21.5.2007

Professor Surinder Syal and Another

…Petitioners.

Versus

The Principal, D.A.V. College, Hoshiarpur and Others.

…Respondents.

CORAM: HON'BLE MR.JUSTICE M.M.KUMAR
HON'BLE MR.JUSTICE RAJESH BINDAL

Present: Mr.R.K.Joshi, Advocate
for the petitioners.

Mr.C.L.Sharma, Advocate
for respondents No.1 & 2.

Mr.Suvir Sehgal, Additional Advocate
General, Punjab, for respondent No.3.

JUDGMENT

M.M.KUMAR, J.

The prayer made by the petitioner in the instant petition is for issuance of direction to the respondents to pay provident fund, balance amount of gratuity to the tune of Rs.3.00 lacs and amount of earned leave, as per rules. It is conceded position that the retiral benefits have been paid on 30.7.2005. The question which survives for our consideration is:-

"Whether the petitioners are entitled to payment of interest as both the petitioners have retired on 31.1.1999 and

30.6.1999, respectively?"

The matter stands concluded by a Full Bench judgment of this Court in the case of **"R.S.Randhawa v. State of Punjab" 1997(3) R.S.J. 318** wherein it has been held that ordinarily interest at the rate of 12% shall be payable for the delayed payment of retiral benefits.

In view of the above, the writ petition is partially allowed accepting the prayer made by the petitioners for payment of interest. We, accordingly, direct the respondents to pay interest at the rate of 12% for the delayed payment of retiral benefits from the date the same were due till the date of its actual payment.

(M.M.KUMAR)
Judge

May 21, 2007 **(RAJESH BINDAL)**
dkb **Judge**